

  
*Colorado Legislative Council Staff Fiscal Note*  
**FINAL**  
**FISCAL NOTE**

**Drafting Number:** LLS 12-0183  
**Prime Sponsor(s):** Sen. Guzman  
 Rep. Massey

**Date:** July 13, 2012  
**Bill Status:** Signed into Law  
**Fiscal Analyst:** Bill Zepernick (303-866-4777)

**TITLE:** CONCERNING ADDING NEAR FATALITIES TO THE RESPONSIBILITIES OF THE DEPARTMENT OF HUMAN SERVICES CHILD FATALITY REVIEW TEAM.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
<b>State Revenue</b>		
<b>State Expenditures</b>	See State Expenditures section.	
<b>FTE Position Change</b>		
<b>Effective Date:</b> The bill was signed into law by the Governor and took effect April 12, 2012.		
<b>Appropriation Summary for FY 2012-2013:</b> None required.		
<b>Local Government Impact:</b> See Local Government Impact section.		

**Summary of Legislation**

The bill adds near fatalities and incidents of egregious abuse or neglect to the types of incidents to be investigated by the Child Fatality Review Team (review team) in the Department of Human Services (DHS). County departments of human services are required to report suspicious near fatalities and other egregious incidents to the DHS.

The bill sets deadlines for the DHS to complete reviews and specifies information that must be publically disclosed when a review is being conducted and when the review is complete. Certain information may not be made public, including information that identifies the child, family members, the person suspected of abuse or neglect, or the person reporting the abuse or neglect; information that is not authorized to be released under state or federal law; and information that, if released, would not be in the best interest of the child. A summary of a case review may not be released if it compromises pending civil or criminal proceedings.

Under current law, the review team only examines the circumstances of cases involving a child fatality. These high-level reviews examine the circumstances of the case and previous involvement, if any, that the child or family had with the county department through examination of case files and interviews with persons knowledgeable of the case.

### **State Expenditures**

Staff in the DHS and other state agencies on the review team are required to receive and review information from counties on cases involving near fatalities and egregious abuse. The review team must then post a summary report of their findings, absent confidential information, on the department's website and submit a full, confidential report to the Colorado State Child Fatality Prevention Review Team in the Department of Public Health and Environment (DPHE).<sup>1</sup> Using the definitions in the bill, the DHS reports that there were 11 cases that would have been classified as near-fatalities or egregious abuse in 2010. Given this low number of cases and the fact that the structure and processes for child fatality review already exist, it is assumed that any additional workload can be accomplished within existing appropriations.

### **Local Government Impact**

Counties will also have increased workload to report near fatalities and egregious abuse to the DHS. Given that counties currently conduct investigations and casework on reported incidents of abuse and neglect, the workload from the additional reporting is expected to be minimal. Any local government officials (sheriffs, child welfare case workers, etc.) who serve on the review team will also have additional workload to review cases, which is also assumed to be minimal, assuming 11 cases per year.

### **Departments Contacted**

Human Services

Public Health and Environment

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<sup>1</sup>The Colorado State Child Fatality Prevention Review Team in the DPHE is a different committee from the review team in the DHS. The DPHE review team examines child fatalities from a broader perspective beyond child abuse and neglect, including fatalities from natural causes, injuries, motor vehicle accidents, and other factors.